



August 31, 2022

MWC Master Plan Comments,
172 Pembroke Rd,
Concord, NH 03301

Re: Comment Period on Mount Washington Draft Master Plan
MtWashingtonComments@dncr.nh.gov

Dear Mount Washington Commission and Commission Staff:

Standing Trees respectfully submits the following comments regarding the Mount Washington Commission's Draft Master Plan. Thank you in advance for your careful consideration.

Standing Trees is an incorporated nonprofit dedicated to advancing policy and legal solutions that protect and restore New England's public lands. Our members are located throughout the New England region and beyond, including within Coös County, New Hampshire. Standing Trees seeks to hold state and federal agencies accountable for their actions that affect public lands, and to ensure that land-managers and policymakers follow the latest climate and biodiversity science. We offer the following input on Draft 4 of the Mount Washington Master Plan, dated 7/5/22.

Mount Washington is like nowhere else in the eastern United States

What we now call Mt Washington (known to the region's indigenous people as Agiocochook) is a sky-scraping summit that has long been revered by this region's indigenous people, and more recently, by its Euro-American settlers. The Presidential Range is like nowhere else in the eastern US – a broad-shouldered landscape perched among the clouds, where only the hardiest plants and animals survive, and where humans have always been visitors rather than residents.

In the 2005 White Mountain National Forest Management Plan, the US Forest Service, which manages the majority of the Presidential Range, notes that the Range's "sub-alpine and alpine areas are the most interesting, unique, and sensitive biological communities in the area, and perhaps on the [White Mountain National] Forest. Many of the plants found here are at the extreme southern limit of their range. About 110 species of

plants are found above timberline or in the krummholtz zone. Approximately 75 species are considered true alpine plants, as they are only found above timberline. Of these, four species native to the Presidential Range are found nowhere else in the world.”¹ Such high praise for a treeless, alpine landscape is all the more remarkable considering that it is offered by the US Forest Service, which manages the 800,000-acre White Mountain National Forest.

Indeed, “The arctic-alpine plant diversity on [Mt Washington’s] ridges and in its gullies is greater than that found on Katahdin in Maine or any of the lower alpine summits in New Hampshire, Vermont, or New York.”² In the US, the Presidential Range harbors more alpine tundra than any location east of the Mississippi River. Mount Washington supports an “old-growth ecosystem where natural disturbances continue to rein.”³ Unfortunately, invasive plants have colonized the summit of Mount Washington around its developed areas, notably the Sherman Adams Building and other structures around the summit.⁴

The Draft Master Plan fails to meet the statutory requirements of the Mount Washington Commission

The Mount Washington Commission is directed to complete a Master Plan for Mount Washington every ten years. By law, the plan is required to include, at a minimum:

- (a) Capital improvements to be made by the state over a 10-year period;
- (b) The proposed operation of the summit by the commission including fees to be charged for the facilities operated by the commission, the method of collection of such fees, employment of personnel, franchises to be granted to concessionaires, and any other items deemed necessary to the proper operation of the summit by said commission;
- (c) Promotion of the use of the summit by the public as a recreational, historic or scientific attraction;
- (d) Protection of the summit as to its unique flora and other natural resources;
- (e) The negotiation of public rights-of-way to the summit over private lands which benefit from the improvement of facilities on the summit;
- (f) Cooperative arrangements between private interests and the commission relative to the collection of fees, joint personnel, and any like subject.⁵

¹ [Appendix C, FEIS, 2005 Forest Plan, White Mountain National Forest.](#)

² Jones, Mike and Liz Willey, eds. *Eastern Alpine Guide: Natural History and Conservation of Mountain Tundra East of the Rockies*. University Press of New England, 2018.

³ Ibid.

⁴ Ibid.

⁵ [NH Statutes, Title XIX, Public Recreation, Chapter 227-B, Mount Washington Commission](#)

At the public hearing in Concord, NH on August 23, 2022, the above plan components were described as co-equal. This misguided idea is reinforced in Section II-Purpose, which states that “The purpose of [the Mount Washington] Master Plan is to provide for [the opportunity to observe and experience its unique environment] while enabling the success of all Summit Partners by ensuring that the summit of Mount Washington, featuring the Mount Washington State Park, continues to be a must-see destination for visitors to the region while also ensuring that resource values are protected.”

A close read of the statute makes it clear that the goals of the Master Plan are not co-equal, and that the business “success” of the “Summit Partners” is not mandated. The most important obligation of the Mount Washington Commission is “(d) Protection of the summit as to its unique flora and other natural resources.” Everything else in the Master Plan is permissible insofar as it does not degrade the “unique flora and other natural resources” of the summit. In other words, the Master Plan can direct infrastructure improvements, promote visitation, facilitate public access, and propose cooperative partnerships between Summit Partners, but only when these do not threaten the “[p]rotection of the summit as to its unique flora and other natural resources.” The final Master Plan should clarify the importance of this statutory direction to, first and foremost, protect the ecology and natural resources of the summit.

An Assessment Should be Completed Before Finalizing the Master Plan

The overriding responsibility to protect the “unique flora and other natural resources” of the summit compels the Mount Washington Commission to complete a detailed Environmental Assessment *before* completing the Master Plan. Without a detailed analysis of potential impacts to the biodiversity, ecology, geology and hydrology of the summit (among other criteria), there is no way for the Commission to adopt a plan that honors its most important statutory obligations.

The Master Plan should detail how the Commission will address impacts to the summit that emanate from surrounding private lands

NH Statutes, Title XIX, Public Recreation, Chapter 227-B, Mount Washington Commission, defines “Summit” as “the Mount Washington summit property owned by the state.” Impacts to state-owned property, however, may come from beyond the property boundary. The effect of impacts across land ownerships has long been recognized by the US Forest Service. The 2005 Forest Plan for the White Mountain National Forest states that “The Cog Railway, with its associated sites [sic] and sounds, has a negative effect on the

Wilderness experience within the [Great Gulf] Inventoried Roadless Area.”⁶ To meet its statutory obligations and protect the public good, the Commission must guard against impacts that could lead to deterioration of the summit’s “unique flora and other natural resources,” regardless of where those impacts originate.

The Master Plan is wise to suggest that “there will always be a physical limit to the number of people on the Summit at any given time,” and that the Auto Road, Cog Railway, AMC, NH State Parks, and US Forest Service are all responsible for limiting the number of visitors and associated impacts. However, the Draft Master Plan does not go far enough to protect the summit environment.

It is well-known that the Cog Railway proposes to create a railcar hotel adjacent to the summit of Mount Washington. According to an [August 16th story in the *Union Leader*](#), “Lizzie’s Station will attract yet more people to Mount Washington,” based on statements by Cog Railway owner, Wayne Presby. These new overnight visitors constitute a new use, without precedent at the summit of Mount Washington. They will undoubtedly leave the train and wander about state property at the summit. They will occupy the summit at times that the public is currently prohibited (the Auto Road closes before sunset, and no camping is allowed in or near the summit area). Will there be state staff on hand, twenty-four hours per day, to protect fragile alpine natural resources? If overnight guests get lost during a hike at dusk, as weather changes rapidly around the summit, who will pay for search and rescue?

The Commission stated at the public hearing in Concord that it has no authority or responsibility over the Lizzie’s Station project. And yet, Lizzie’s Station will certainly have an impact on state property.

Recognizing this failure of oversight by the Commission, an [editorial by the *Union Leader*](#) from August 28th calls for the Commission to take a more active role in evaluating and approving proposals that would impact the summit. The same editorial calls for an assessment to be completed *before* approving a final Master Plan. Likewise, the Lizzie’s Station proposal should not proceed before the Commission has conducted an environmental assessment, approved a master plan, and evaluated the potential impacts of the new hotel.

If the Commission does not take responsibility for the impacts of private landowners on the summit, rural county planning boards become final decisionmakers for

⁶ [Appendix C, FEIS, 2005 Forest Plan, White Mountain National Forest.](#)

management issues that they are ill-equipped to assess. This sort of abdication jeopardizes the public's trust and the natural resources that the Commission is mandated to protect. The future of the summit of Mount Washington matters too much to the people of New Hampshire, not to mention the people of New England, for the Commission to remove itself from critical decisions about the future of this landscape.

Conclusion

Thank you for your consideration of these comments. Mount Washington is an irreplaceable and unequalled public resource. Draft 4 of the Master Plan does not yet take adequate care for this remarkable and iconic landmark at the top of New England. Standing Trees hopes that a future draft will correct the shortcomings of the present version.

We look forward to future opportunities to engage with the Mount Washington Commission, and we welcome your communication at any time.

Sincerely,

A handwritten signature in black ink, appearing to read "Zack Porter". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Zack Porter
Executive Director, Standing Trees
Montpelier, VT
zporter@standingtrees.org
(802) 552-0160